

REMARKS

In the Final Action dated April 28, 2003, claims 33-38 are pending and are under consideration. Claim 36 is allowed. Claims 33-35 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,032,396 to Williams (July 16, 1991). Claims 33-34 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by Sigma's Catalog (January 1992), Product No. T-5028 or T-5153 (*Nature* 321, 441 (1986)) or A-7907 (*PNAS USA* 79:1443 (1982)). Claims 37-38 are rejected under 35 U.S.C. §103(a) as allegedly obvious over Suggs et al. (*PNAS USA* 78(11): 6613-6617, 1981) in view of Williams. Claims 33-35 and 37-38 are further rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to satisfy the written description requirement. The specification and the claims are also objected to allegedly for failing to fully comply with sequence rules.

In response to the Final Action, Applicants filed a §1.116 amendment dated September 18, 2003. Applicants also filed a Notice of Appeal on October 31, 2003. In response, the Examiner issued an Advisory Action on October 21, 2003, stating that the §1.116 Amendment was not entered, allegedly because the Amendment raised new issues that would require further consideration and/or search.

This Response addresses each of the Examiner's rejections and objections raised in the Final Action. Applicants respectfully submit that the present application is in condition for allowance or at least in better condition for appeal. Favorable consideration of all pending claims is therefore respectfully requested.

The Examiner has objected to the specification for allegedly presenting, on pages 9, line 33, page 10, lines 7, 11 and 27 and page 11, line 10, amino acid sequences

without references to sequence identifiers. In addition, the Examiner has pointed out that Figure 9b, Figure 10 and claims 33-34 present sequences which are not identified by sequence identifiers.

Applicants respectfully submit that the sequence, -X1-X2-Asn-Asp, presented on page 10, line 7 and page 11, line 10, is presently identified by SEQ ID NO: 15.

Applicants respectfully direct the Examiner's attention to the Amendment dated November 7, 2002, by which Applicants have inserted the sequence identifier of SEQ ID NO: 15 in the specification.

With respect to the structure formula, R1-X1-X2-Asn-Asp-R2, presented on page 9, line 33, and page 10, lines 11 and 27, Applicants respectfully submit that the central segment "X1-X2-Asn-Asp" is already represented by SEQ ID NO: 15. As described at page 10, lines 14-24, R1 and R2 can be a D or L amino acid, a peptide, a polypeptide, a protein, and can also be a non-amino acid moiety or molecule such as an alkyl, substituted alkyl, alkenyl, substituted alkenyl, acyl, dienyl, arylalkyl, arylalkenyl, aryl, substituted aryl, heterocyclic, substituted heterocyclic, cycloalkyl, substituted cycloalkyl, halo, haloalkyl, nitro, hydroxy, thiol, sulfonyl, carboxy, alkoxy, aryloxy and alkylaryloxy group and the like. Therefore, Applicants submit that "R1-X1-X2-Asn-Asp-R2", as presented on page 9, line 33, and page 10, lines 11 and 27, is not strictly an amino acid sequence which can be properly included in a Sequence Listing.

As to the sequences presented in Figure 9b and Figure 10, Applicants have amended the descriptions of these drawings at page 18 to insert the corresponding sequence identifiers.

No new matter is introduced by the foregoing amendments. It is therefore respectfully submitted that the objection to the specification and the claims under the Sequence Rules is overcome. Withdrawal of the objection is therefore respectfully requested.

With respect to the claims, the Examiner has indicated that claim 36 is allowed. In an effort to expedite allowance of the present application, Applicants have canceled claims 33-35 and 38, and have amended claim 37 to depend from claim 36 only. Applicants reserve the right to pursue the subject matter of the canceled claims in a continuation application. In view of the instant amendment, it is respectfully submitted that all the rejections of the claims in the Final Action are overcome. Withdrawal of the rejections is therefore respectfully requested.

In view of the foregoing, it is respectfully submitted that the present case is in condition for allowance, which action is earnestly solicited

Respectfully submitted,



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